



Journal of the Senate

State of Indiana

114th General Assembly

Second Regular Session

Twenty-fourth Meeting Day

Monday Afternoon

February 27, 2006

The Senate convened at 1:34 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

The Senate Reader was directed to read the previously read section of the District Court's Order in *Hinrichs v. Bosma*, as set out in full in the Senate Journal of January 9, 2006.

Silent prayer followed the reading.

The Pledge of Allegiance to the Flag was led by the President of the Senate.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Becker	Lubbers
Bowser	Lutz
Bray	Meeks
Breaux	Merritt
Broden	Miller
Craycraft	Mishler <input checked="" type="checkbox"/>
Delph	Mrvan
Dillon	Nugent
Drozda	Paul
Ford	Riegsecker
Gard	Rogers
Garton	Simpson
Harrison	Sipes
Heinold	Skinner
Hershman	Smith
Howard	Steele
Hume	Tallian
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R. <input checked="" type="checkbox"/>
Lewis	Zakas

Roll Call 236: present 48; excused 2. [Note: A ☒ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 43

Senate Concurrent Resolution 43, introduced by Senator Miller:

A CONCURRENT RESOLUTION recognizing the Greenwood Fire Department Honor Guard.

Whereas, The Greenwood Fire Department Honor Guard was formed in 1997 and originally consisted of six members who wanted to represent the fire department and the city with the highest degree of honor;

Whereas, The Honor Guard currently consists of twelve members, Commander Nat Ridge, Assistant Commander Joshua Meadows, Kevin Johnson, Ed Daugherty, Adam Arkins, Adam Flynn, Thaddeus Ridge, Robert Stecher, Randy Travis, Michael Jackson, Devon Bancroft, and Bryan Johns;

Whereas, The primary function of the Honor Guard is to perform at the funeral services of fallen members of the fire department and police department or civic leaders and to present and promote the dignity and honor of the United States flag and Indiana flag at various events and functions around the area;

Whereas, The Greenwood Fire Department Honor Guard has competed in the FDIC National Fire Department Honor Guard competition for four years, taking the national title in 2003 and 2005;

Whereas, The Honor Guard also shows an active interest in the community through involvement with the Cub Scouts, presenting the colors at local Sertoma, Rotary, and Moose events as well as high school sporting events and fund raisers;

Whereas, The Honor Guard led the Epsilon Sigma Alpha Walk of Heroes in 2002, the annual St. Patrick's Day Parade in Indianapolis in 2004, the Babe Ruth World Series Parade in 2002, and presented the Colors for the International Convention of Sertoma in 2003 and the National Fallen Firefighter's Memorial in Washington, D.C. in 2002; and

Whereas, The Greenwood Fire Department Honor Guard is an excellent representative of the Greenwood community and the state of Indiana: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes the dedication to duty, honor, and country displayed by the members of the Greenwood Fire Department Honor Guard and thanks the members for their hard work.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to the members of the Greenwood Fire Department Honor Guard, Fire Chief Steve Dhondt, Mayor Charles Henderson, and Governor Mitch Daniels.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Burton.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 53 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills 11, 40, 41, 42, 55, 57, 71, 77, 84, 100, 102, 106, and 114 with amendments and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 58, 69, 72, and 85 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills 75, 258, 269, 283, 310, 339, 354, and 379 with amendments and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 277, 332, 373, and 384 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON FIRST READING**Senate Concurrent Resolution 44**

Senate Concurrent Resolution 44, introduced by Senator Becker:

A CONCURRENT RESOLUTION recognizing the International Brotherhood of Electrical Workers (IBEW) for their dedicated service to the communities in which they serve.

Whereas, During severe weather and natural disasters, the government urges residents to remain in a safe place. At the same time, electricians are out in the elements working to restore power and reduce the dangers associated with inclement weather, such as severed power lines;

Whereas, Electrical power is one of the most essential services to

everyday life, but it is particularly crucial during disaster recovery efforts;

Whereas, IBEW electricians frequently work in hazardous situations in order to restore power in adverse conditions, enabling rescue attempts during disaster recovery efforts; and

Whereas, The electricians of the IBEW deserve recognition and gratitude for the tremendous risk they assume in order to serve Indiana communities during times of distress: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes the International Brotherhood of Electrical Workers (IBEW) and their diligent efforts to restore power for the citizens of Indiana in hazardous conditions.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Edwin D. Hill, IBEW International President; Mark H. Ayers, IBEW Construction and Maintenance Director; and William Cooper, retired Trade Association Executive Manager associated with the National Electrical Contractors Association, Inc.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Crouch and Hoy.

Senate Resolution 11

Senate Resolution 11, introduced by Senators Broden and Zakas:

A SENATE RESOLUTION to congratulate South Bend Chocolate Company for being named the 2005 Entrepreneur of the Year for the Lake Michigan Area in the retail division by Ernst & Young.

Whereas, The SBCC was founded in 1991 by a second generation chocolate maker, Mark Tarner, and now has over 22 stores located in Indiana and Michigan; and

Whereas, Ernst & Young, a major international accounting and consulting firm, honors entrepreneurs in more than 125 cities and 40 countries worldwide; and

Whereas, Mark Tarner and district manager Bob Radde accepted the award on behalf of the company at a banquet on June 9, 2005 in Indianapolis; and

Whereas, The South Bend Chocolate Company has won similar awards in years past, including the U.S. Small Business Administration's Indiana Small Business of the Year award in 2000;

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Senate of the General Assembly congratulates the South Bend Chocolate Company for being named

the 2005 Entrepreneur of the Year for the Lake Michigan Area in the retail division by Ernst & Young.

SECTION 2. That the Secretary of the Senate shall transmit a copy of this Resolution to the South Bend Chocolate Company.

The resolution was read in full and adopted by voice vote.

1:49 p.m.

The Chair declared a recess until the fall of the gavel.

Recess

The Senate reconvened at 4:02 p.m., with the President of the Senate in the Chair.

Senator R. Young, who had been excused, was present.

SENATE MOTION

Madam President: I move that Senator Lutz be added as coauthor of Senate Concurrent Resolution 44.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators M. Young and Meeks be added as coauthors of Senate Concurrent Resolution 43.

MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lubbers be added as cosponsor of Engrossed House Concurrent Resolution 53.

HERSHMAN

Motion prevailed.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1010

Senator Bray called up Engrossed House Bill 1010 for second reading. The bill was read a second time by title.

SENATE MOTION

(Amendment 1010-5)

Madam President: I move that Engrossed House Bill 1010 be amended to read as follows:

- Page 14, line 28, before "parks" insert "**and**".
- Page 14, line 28, delete ", and publicly owned venues".
- Page 14, line 30, before "park" insert "**or**".
- Page 14, line 30, delete ", or publicly owned venue".
- (Reference is to EHB 1010 as printed February 17, 2006.)

Motion prevailed.

SENATE MOTION

(Amendment 1010-11)

Madam President: I move that Engrossed House Bill 1010 be amended to read as follows:

Page 14, line 27, after "ports," insert "**certified technology parks,**".

Page 14, line 29, after "port," insert "**certified technology park,**". (Reference is to EHB 1010 as printed February 17, 2006.)

BECKER

Motion prevailed.

SENATE MOTION

(Amendment 1010-3)

Madam President: I move that Engrossed House Bill 1010 be amended to read as follows:

Page 1, line 10, delete "state agency or political subdivision provides reasonable".

Page 1, line 11, delete "compensation to the".

Page 1, line 11, delete "for the loss of the sign." and insert "**is compensated in accordance with IC 32-24 or has waived the right to and receipt of damages in writing.**".

Page 19, line 2, delete "unit provides reasonable compensation to the".

Page 19, line 3, delete "for the loss of the sign." and insert "**is compensated in accordance with IC 32-24 or has waived the right to and receipt of damages in writing.**".

(Reference is to EHB 1010 as printed February 17, 2006.)

LONG

Motion prevailed.

SENATE MOTION

(Amendment 1010-2)

Madam President: I move that Engrossed House Bill 1010 be amended to read as follows:

Page 13, line 39, delete "A" and insert "**Except as provided in section 1.5 of this chapter, a**".

Page 14, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 18. IC 32-24-4-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. A private utility that:**

(1) holds a certificate of territorial authority to provide sewage disposal service; and

(2) provides or will provide sewage disposal service to less than five hundred (500) customers;

may not exercise the power of eminent domain to take, acquire, condemn, or appropriate land, real estate, or any interest in the land or real estate, including an easement or a right-of-way.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1010 as printed February 17, 2006.)

BOWSER

Upon request of Senator Sipes the President ordered the roll of the Senate to be called. Roll Call 237: yeas 20, nays 29.

Motion failed.

SENATE MOTION
(Amendment 1010-6)

Madam President: I move that Engrossed House Bill 1010 be amended to read as follows:

Page 11, line 18, delete "thirty (30)" and insert "**forty-five (45)**".

Page 12, reset in roman lines 2 through 7.

Page 12, line 8, reset in roman "amount not to exceed".

Page 12, line 8, after "exceed" insert "**twenty-five thousand dollars (\$25,000).**".

Page 12, delete lines 9 through 15.

Page 17, line 4, after "property." insert "**If a court determines that an eminent domain proceeding brought under this chapter is unauthorized because the condemnor did not meet the conditions described in this section, the court shall order the condemnor to reimburse the owner for the owner's reasonable attorney's fees that the court finds were necessary to defend the action.**".

Page 17, line 41, delete "If the owner of a parcel of real property incurs attorney's" and insert "**(a) Not later than forty-five (45) days before a trial involving the issue of compensation, the condemnor shall, and an owner may, file and serve on the other party an offer of settlement. Not more than five (5) days after the date the offer of settlement is served, the party served may respond by filing and serving upon the other party an acceptance or a counter offer of settlement. The offer must state that it is made under this section and specify the amount, exclusive of interest and costs, that the party serving the offer is willing to accept as just compensation and damages for the property sought to be acquired. The offer or counter offer supersedes any other offer previously made under this chapter by the party.**

(b) An offer of settlement is considered rejected unless an acceptance in writing is filed and served on the party making the offer before the trial on the issue of the amount of damages begins.

(c) If the offer is rejected, it may not be referred to for any purpose at the trial but may be considered solely for the purpose of awarding costs and litigation expenses under section 10 of this chapter.

(d) This section does not limit or restrict the right of an owner to payment of any amounts authorized by law in addition to damages for the property taken from the owner.

Sec. 10. (a) Except as provided in subsection (b), the condemnor shall pay the costs of the proceedings.

(b) If there is a trial, the additional costs caused by the trial shall be paid as ordered by the court. However, if there is a trial and the amount of damages awarded to the owner by the judgment, exclusive of interest and costs, is greater than the amount specified in the last offer of settlement made by the condemnor under section 9 of this chapter, the court shall require the condemnor to pay the owner's litigation expenses, including reasonable attorney's fees, in an amount that does not exceed twenty-five percent (25%) of the cost of the acquisition."

Page 17, delete line 42.

Page 18, delete lines 1 through 5.

(Reference is to EHB 1010 as printed February 17, 2006.)

LANANE

Motion prevailed.

SENATE MOTION
(Amendment 1010-8)

Madam President: I move that Engrossed House Bill 1010 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 8-1-2-89 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 89. (a) As used in this section, unless the context otherwise requires, the following terms have the following meanings:

(1) "Sewage disposal service" means any public utility service whereby liquid and solid waste, sewage, night soil, and industrial waste of any single territorial area is collected, treated, purified, and disposed of in a sanitary manner, and includes all sewage treatment plant or plants, main sewers, submain sewers, local and lateral sewers, intercepting sewers, outfall sewers, force mains, pumping stations, ejector stations, and all other equipment and appurtenances necessary or useful and convenient for the rendition of such service.

(2) "Sewage disposal company" means any natural person, firm, association, corporation, or partnership owning, leasing, or operating any sewage disposal service within the rural areas of this state, and all provisions of this chapter pertaining to a public utility shall apply with equal force and effect to a sewage disposal company, except insofar as said provisions may be inconsistent with specific provisions of this section.

(3) "Rural area" means territory lying within the state of Indiana and lying outside the corporate limits of a municipality.

(4) "Certificate of territorial authority" means a certificate of convenience and necessity issued by the commission pursuant to this section, which said certificate shall be deemed an indeterminate permit, unless expressly conditioned otherwise by the commission when issued.

(5) "Notice of hearing" means notice of the time, place, and purpose of a hearing, given by publication in at least one (1) newspaper of general circulation in each of the counties in which the particular sewage disposal company operates or proposes to operate and given also in writing by United States registered mail:

(A) to each other sewage disposal company operating in territory contiguous to the territory in which the particular sewage disposal company operates or proposes to operate;

(B) to each municipality in territory contiguous and nearest to the territory in which the particular sewage disposal company operates or proposes to operate; and

(C) to such other persons or entities which the commission may from time to time require by its rules and forms;

all such notices shall be so mailed as to be received by the recipients at least ten (10) days prior to any hearing, or as otherwise required by the commission.

(6) "**Package sewage disposal company**" means a sewage disposal company that provides or will provide sewage

disposal service to less than five hundred (500) customers.

(b) It is hereby declared to be in the public interest to provide for the orderly development and rendering of sewage disposal service in rural areas within the state of Indiana, and such public interest makes it necessary and desirable that to the extent provided herein the holding of a certificate of territorial authority should be required as a condition precedent to the rendering of such service, and that such operation be under the control, regulation, and supervision of the commission, and such sewage disposal companies shall not be subject to regulation by any municipality or county government or metropolitan regulatory body, or any branch or subdivisions thereof or substitute therefor in the form of special service districts, with the **exception exceptions** that: **said**

(1) a sewage disposal company shall be subject to the comprehensive plan, zoning, and subdivision requirements and regulations of the governmental units having jurisdiction in the area; and

(2) a package sewage disposal company is subject to the requirements set forth in subsection (m).

However, all functions, powers, and duties of the state department of health and the water pollution control board shall remain unaffected by this section.

(c) No sewage disposal company shall commence the rendering of sewage disposal service in any rural area in the state of Indiana in which it is not actually rendering sewage disposal service, without first obtaining from the commission a certificate of territorial authority authorizing such sewage disposal service, finding that public convenience and necessity require such sewage disposal service within such rural area by such sewage disposal company, and defining and limiting specifically the rural area covered thereby. No sewage disposal company hereby required to hold such a certificate shall render any additional sewage disposal service within such rural area to any extent greater than that authorized by such certificate or shall continue to render sewage disposal service within such rural area if and after such certificate of territorial authority has been revoked or transferred as in this section provided, unless in such order of revocation or transfer the commission shall require continued service until a new sewage disposal company or municipality actually takes over such service. The commission shall not have the power to require extension of such service by any sewage disposal company into any additional territory than that defined and limited in such a certificate without the consent of such sewage disposal company.

(d) Whenever any sewage disposal company proposes to commence the rendering of sewage disposal service in any rural area, it shall file with the commission a verified application for a certificate of territorial authority to cover the proposed service. The commission shall by rule prescribe the form of the application and the information to be contained therein, **including information necessary to make a determination under subsection (m)**, and such application by any such company shall conform to such prescribed form. The commission shall set the matter for hearing and notice of such hearing shall be given to the parties and in the manner defined in this section. Any city may, and upon petition to the commission shall, be made a party to any service proposal if its territorial limits lie within five (5) miles of the area to be serviced under this section. **A verified application submitted by a package sewage disposal company must include a resolution in support of the verified application**

adopted by the county executive of the county in which the package sewage disposal company seeks to provide sewage disposal services.

(e) If, after notice of hearing and hearing on any application for a certificate of territorial authority, the commission shall find from the evidence introduced at such hearing, including any evidence which the commission shall have caused to be introduced as a result of any investigation which it may have made into the matter, that the applicant has proved:

(1) lawful power and authority to apply for said certificate and to operate said proposed service;

(2) financial ability to install, commence, and maintain said proposed service; and

(3) public convenience and necessity require the rendering of the proposed service in the proposed rural area by this particular sewage disposal company; however, in the event the service is proposed for a proposed rural real estate addition, division, or development, or any part thereof, the reasonably expected sewage disposal service requirements of the anticipated residents may be found to constitute such public convenience and necessity;

then the certificate of territorial authority, defining and limiting the rural area to be covered thereby, shall be granted to the applicant, subject to such terms, restrictions, limitations, and conditions, including but not limited to a reasonable time in which to commence operations, as the commission shall determine to be necessary and desirable in the public interest.

(f) In cases of applications filed by two (2) or more sewage disposal companies seeking the issuance of a certificate of territorial authority for the same area or areas or any conflicting portions thereof, the commission may either consider such applications separately or by consolidation of two (2) or more or all within a single hearing at its discretion and shall have the power to issue its certificate after notice of hearing and hearing to any single qualified sewage disposal company for a particular rural area, or, in the event that the commission determines and finds that two (2) or more or all applicants seeking the same area or areas or any conflicting portions thereof are both or all qualified, then the commission shall have the power to determine which is the better or best qualified, or whether the same area or areas or any conflicting portions thereof shall be divided between or among such qualified applicants. However, in no event shall such area or areas or portions thereof be greater than that for which the particular applicant applied, unless such sewage disposal company shall consent and agree in writing to such modification of its application and the issuance of such modified certificate.

(g) After the issuance of such certificate, no other sewage disposal company shall render sewage disposal service in the area or areas so determined and so defined in any certificate of territorial authority issued by the commission, except after notice of hearing and hearing, and the determination and finding by the commission that public convenience and necessity require that sewage disposal service in said same area or areas be also rendered or offered by an additional or another company, and the issuance of a certificate duly granted by the commission as provided in this section.

(h) A sewage disposal company shall be required to furnish reasonable adequate sewage disposal services and facilities for which said service and facilities it shall be entitled to charge reasonable,

nondiscriminatory rates, subject to the jurisdiction of the commission for the purpose of fixing said rates to be charged to patrons of such sewage disposal company for sewage disposal service, and for such purpose the commission is given jurisdiction to proceed in the same manner and with like power as is provided by this chapter in the case of public utilities.

(i) To encourage the installation of sewage treatment plants, and sewers, mains, stations, and all other equipment and appurtenances for rendering sewage disposal service in rural areas in close proximity to municipalities, and to ensure that a sewage disposal company which had made such installation in such area can recover the cost of its investment, in the event that the area or areas or any part thereof included within the territory granted under a certificate of territorial authority shall be annexed by any municipality at any time within twelve (12) years from the date that such certificate was granted, a sewage disposal company operating under such certificate shall continue to operate under such certificate of territorial authority, subject to the exclusive jurisdiction and regulation of the commission, for the unexpired portion of such period of twelve (12) years from the date of granting such certificate, or, in the case of a determinate permit specifying a term shorter than twelve (12) years, then for the unexpired portion of such lesser period as specified by such permit from the date of granting such permit. However, the foregoing provisions in regard to continued operation within the corporate limits of a municipality after annexation shall not affect the right of the sewage disposal company to cease its operation of providing sewage disposal service within such annexed territory prior to the termination of said twelve (12) year or lesser determinate permit period, upon thirty (30) days written notice to the commission, the municipality, and all patrons.

(j) Upon approval by the commission given after notice of hearing and hearing, but not otherwise, any certificate of territorial authority may:

- (1) be sold, assigned, leased, or transferred by the holder thereof to any sewage disposal company to which a territorial certificate might be lawfully issued; or
- (2) be included in the property and rights encumbered under any indenture of mortgage or deed of trust of such holder;

or any sewage treatment plant or plants, sewers, mains, stations, and equipment and appurtenances for the rendering of sewage disposal service, or any part thereof, may be sold, assigned, leased, or transferred by the holder thereof to any municipality if these assets lie within an area which shall have been annexed by such municipality or lie within the given radius of miles from the corporate limits of such municipality into which it is authorized to render such services, if such municipality is prepared to render a comparable sewage disposal service without loss of continuity of service, and if the terms of such sale, assignment, lease, or transfer are reasonable. However, once the commission has given its approval to such transaction and the transaction itself is actually consummated, the commission shall have no control over the sewage disposal service henceforth rendered by such municipality as a municipally owned utility (as defined in this chapter).

(k) Any certificate of territorial authority may, after notice of hearing and hearing, be revoked by the commission, in whole or in part, for the failure of the holder thereof to furnish reasonably adequate sewage disposal service within the area or areas determined

and defined in such certificate of territorial authority, or for the failure of the holder thereof to comply with any applicable order or rule prescribed by the commission in the exercise of its powers under this chapter, or for failure to comply with any term, condition, or limitation of such certificate of territorial authority.

(l) After the commission revokes any certificate of territorial authority under subsection (k) or after the county board of health determines the existence of a serious health problem related to the sewage disposal facility, the county commissioners of the county in which the sewage disposal facility is located may acquire the facility, subject to the approval of the acquisition by the county council, except that the county commissioners may not acquire any facility already acquired by any city or town. The county commissioners shall acquire the sewage disposal facility by:

- (1) gift, grant, purchase, or condemnation that is funded in the same manner that cities and towns fund sewage treatment acquisitions under IC 36-9; or
- (2) a lease arrangement that is funded in the same manner that cities and towns fund leases of sewage disposal facilities under IC 36-9.

After acquisition, the county commissioners shall repair, operate, and maintain the sewage disposal facility and charge user fees for these services.

(m) Before the commission may issue a certificate of territorial authority to a package sewage disposal company, the commission must determine that the package sewage disposal company is the most appropriate provider of sewage disposal services for the rural area covered by the certificate of territorial authority. The issuance of a certificate of territorial authority to a package sewage disposal company is subject to review and approval by the department of environmental management."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1010 as printed February 17, 2006.)

SIPES

Upon request of Senator Sipes the President ordered the roll of the Senate to be called. Roll Call 238: yeas 17, nays 32.

Motion failed.

SENATE MOTION (Amendment 1010-10)

Madam President: I move that Engrossed House Bill 1010 be amended to read as follows:

Page 15, between lines 11 and 12, begin a new paragraph and insert: "**Sec. 5. As used in this chapter, "project area" means the area designated by the condemnor and the legislative body for the condemnor for economic development.**"

Page 15, line 12, delete "5" and insert "6".

Page 15, line 21, delete "6." and insert "7.".

Page 15, line 25, delete "7.A" and insert "**8. Subject to section 11 of this chapter, a**"

Page 17, line 5, delete "8." and insert "9.".

Page 17, line 41, delete "9." and insert "10.".

Page 18, between lines 5 and 6, begin a new paragraph and insert: "**Sec. 11. (a) Notwithstanding the provisions of section 8, a condemnor may acquire a parcel of real property by the exercise of eminent domain under this chapter only if all of the following**

conditions are met:

(1) the project area is at least ten (10) acres in size and located in one (1) county;

(2) the parcel is not occupied by the owner as a residence;

(3) the condemnor or its agents has acquired clear title to ninety percent (90%) of the project area; and

(4) the legislative body for the condemnor must adopt a resolution by a two-thirds (2/3) vote authorizing the condemnor to exercise eminent domain over a particular parcel of land.

(b) A condemnor that acquires a parcel of real property through the exercise of eminent domain under this section shall compensate the owner of the parcel as follows:

(1) payment to the owner equal to one hundred twenty five percent (125%) of the fair market value of the parcel as determined under I.C. 32-24-1;

(2) payment of any other damages as determined under I.C. 32-24-1, including a loss incurred in a trade or business that is attributable to the exercise of eminent domain; and

(3) payment of the owner's relocation costs, if any.

(c) The condemnor may not acquire a parcel of real property through the exercise of eminent domain under this section if the owner can demonstrate by clear and convincing evidence that the present location of the parcel of real property is essential to the viability of the owner's commercial activity and that the payment or damages and relocation costs cannot adequately compensate the owner of real property.

(d) The court shall award the payment of reasonable attorney fees to the owner in accordance with this chapter."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1010 as printed February 17, 2006.)

BRODEN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1022

Senator Merritt called up Engrossed House Bill 1022 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1024

Senator Drozda called up Engrossed House Bill 1024 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1028

Senator Nugent called up Engrossed House Bill 1028 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1080

Senator Miller called up Engrossed House Bill 1080 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1089

Senator Kenley called up Engrossed House Bill 1089 for second

reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1093

Senator Wyss called up Engrossed House Bill 1093 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1102

Senator Lawson called up Engrossed House Bill 1102 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1102-1)

Madam President: I move that Engrossed House Bill 1102 be amended to read as follows:

Page 40, delete lines 5 through 42.

Page 41, delete lines 1 through 2.

Page 49, delete lines 27 through 29.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1102 as printed February 15, 2006.)

ALTING

Motion prevailed.

SENATE MOTION
(Amendment 1102-2)

Madam President: I move that Engrossed House Bill 1102 be amended to read as follows:

Page 34, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 34. IC 36-4-6-4, AS AMENDED BY P.L.230-2005, SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) This section applies to third class cities, except as provided by section 5 of this chapter.

(b) This subsection does not apply to a city with an ordinance described by subsection (j) **or** (m). The legislative body shall adopt an ordinance to divide the city into five (5) districts that:

(1) are composed of contiguous territory, except for territory that is not contiguous to any other part of the city;

(2) are reasonably compact;

(3) do not cross precinct boundary lines except as provided in subsection (c) or (d); and

(4) contain, as nearly as is possible, equal population.

(c) The boundary of a city legislative body district may cross a precinct boundary line if:

(1) more than one (1) member of the legislative body elected from the districts established under subsection (b), **or** (j), **or** (m) resides in one (1) precinct established under IC 3-11-1.5 after the most recent municipal election; and

(2) following the establishment of a legislative body district whose boundary crosses a precinct boundary line, not more than one (1) member of the legislative body elected from the districts resides within the same city legislative body district.

(d) The boundary of a city legislative body district may cross a precinct line if the districts would not otherwise contain, as nearly as is possible, equal population.

(e) A city legislative body district with a boundary described by subsection (c) or (d) may not cross a census block boundary line:

- (1) except when following a precinct boundary line; or
- (2) unless the city legislative body certifies in the ordinance that the census block has no population, and is not likely to ever have population.

(f) The legislative body may not adopt an ordinance dividing the city into districts with boundaries described by subsection (c) or (d) unless the clerk of the city mails a written notice to the circuit court clerk. The notice must:

- (1) state that the legislative body is considering the adoption of an ordinance described by this subsection; and
- (2) be mailed not later than ten (10) days before the legislative body adopts the ordinance.

(g) The division under subsection (b), ~~or~~ (j), **or (m)** shall be made:

- (1) during the second year after a year in which a federal decennial census is conducted; and
- (2) when required to assign annexed territory to a district.

This division may be made at any other time, subject to IC 3-11-1.5-32.

(h) This subsection does not apply to a city with an ordinance described by subsection (j) **or (m)**. The legislative body is composed of five (5) members elected from the districts established under subsection (b) and two (2) at-large members.

(i) This subsection does not apply to a city with an ordinance described by subsection (j) **or (m)**. Each voter of the city may vote for two (2) candidates for at-large membership and one (1) candidate from the district in which the voter resides. The two (2) at-large candidates receiving the most votes from the whole city and the district candidates receiving the most votes from their respective districts are elected to the legislative body.

(j) A city may adopt an ordinance under this subsection to divide the city into four (4) districts that:

- (1) are composed of contiguous territory;
- (2) are reasonably compact;
- (3) do not cross precinct boundary lines, except as provided in subsection (c) or (d); and
- (4) contain, as nearly as is possible, equal population.

(k) This subsection applies to a city with an ordinance described by subsection (j). The legislative body is composed of four (4) members elected from the districts established under subsection (j) and three (3) at-large members.

(l) This subsection applies to a city with an ordinance described by subsection (j). Each voter of the city may vote for three (3) candidates for at-large membership and one (1) candidate from the district in which the voter resides. The three (3) at-large candidates receiving the most votes from the whole city and the district candidates receiving the most votes from their respective districts are elected to the legislative body.

(m) This subsection applies only if the ordinance adopted under IC 36-4-1.5-3 by the town legislative body of a town that has a population of less than ten thousand (10,000) and that changes into a city specifies that the city legislative body districts are governed by this subsection. The ordinance adopted under IC 36-4-1.5-3(b)(1) dividing the town into city legislative body districts may provide that:

- (1) the city shall be divided into three (3) districts that:**
 - (A) are composed of contiguous territory;**

(B) are reasonably compact;

(C) do not cross precinct boundary lines, except as provided in subsection (c) or (d); and

(D) contain, as nearly as is possible, equal population; and

(2) the legislative body of the city is composed of three (3) members elected from the districts established under this subsection and two (2) at-large members.

Each voter of the city may vote for two (2) candidates for at-large membership and one (1) candidate from the district in which the voter resides. The two (2) at-large candidates receiving the most votes from the whole city and the district candidates receiving the most votes from their respective districts are elected to the legislative body.

~~(m)~~ **(n)** A copy of the ordinance establishing districts under this section must be filed with the circuit court clerk of the county that contains the greatest population of the city no later than thirty (30) days after the ordinance is adopted.

~~(m)~~ **(o)** If any territory in the city is not included in one (1) of the districts established under this section, the territory is included in the district that:

- (1) is contiguous to that territory; and
- (2) contains the least population of all districts contiguous to that territory.

~~(m)~~ **(p)** If any territory in the city is included in more than one (1) of the districts established under this section, the territory is included in the district that:

- (1) is one (1) of the districts in which the territory is described in the ordinance adopted under this section;
- (2) is contiguous to that territory; and
- (3) contains the least population of all districts contiguous to that territory."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1102 as printed February 15, 2006.)

LEWIS

Motion prevailed.

SENATE MOTION

(Amendment 1102-10)

Madam President: I move that Engrossed House Bill 1102 be amended to read as follows:

Page 26, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 29. IC 36-1-7-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 11.5. (a) As used in this section, "economic development project" has the meaning set forth in IC 6-3.5-7-13.1(c). The term also includes any project related to transportation services, transportation infrastructure, or the development or construction of a hotel or other tourism destination.**

(b) An entity entering into an agreement under this chapter that is related to an economic development project may do any of the following to carry out the agreement:

(1) After appropriation by the entity's fiscal body, transfer money derived from any source to any of the following:

- (A) One (1) or more entities that have entered into the agreement.**

(B) An economic development entity (as defined in section 15 of this chapter) established by an entity that has entered into the agreement.

(C) A regional development authority, including the northwest Indiana regional development authority established by IC 36-7.5-2-1.

(D) A regional transportation authority including the regional bus authority established under IC 36-9-3-2(c).

(2) Transfer any property or provide personnel, services, or facilities to any entity or authority described in subdivision (1)(A) through (1)(D)."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1102 as printed February 15, 2006.)

ROGERS

Motion prevailed.

SENATE MOTION
(Amendment 1102-9)

Madam President: I move that Engrossed House Bill 1102 be amended to read as follows:

Page 1, line 2, delete "[EFFECTIVE JULY 1, 2006]" and insert "[EFFECTIVE UPON PASSAGE]".

(Reference is to EHB 1102 as printed February 15, 2006.)

DROZDA

Motion prevailed.

SENATE MOTION
(Amendment 1102-4)

Madam President: I move that Engrossed House Bill 1102 be amended to read as follows:

Page 2, line 11, delete "highest monthly"

Page 2, line 13, delete "for that same".

Page 2, line 14, delete "month".

Page 2, line 18, delete "newspaper's" and insert "newspapers".

Page 2, line 19, delete "newspaper" and insert "newspapers".

Page 2, line 24, delete "during at least one" and insert "based on the average paid or requested circulation for the preceding twelve (12) months reported in the newspaper's United States Postal Service Statement of Ownership published by the newspaper in October of each year or based on the newspaper's initial application for a permit from the United States Postal Service."

Page 2, delete line 25.

Page 4, line 29, delete "county auditor's" and insert "county's".

Page 29, delete line 42, begin a new paragraph and insert:

"SECTION 31. IC 36-1-12-4.7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4.7. (a) This section applies whenever a public work project is estimated to cost:

(1) at least twenty-five thousand dollars (\$25,000) and less than seventy-five thousand dollars (\$75,000) in:

(A) a consolidated city or second class city;

(B) a county containing a consolidated city or second class city; or

(C) a regional water or sewage district established under IC 13-26; or

(2) at least twenty-five thousand dollars (\$25,000) and less than fifty thousand dollars (\$50,000) in:

(A) a third class city or town with a population of more than five thousand (5,000); ~~or~~

(B) a county containing a third class city or town with a population of more than five thousand (5,000); ~~or~~

(C) a political subdivision or agency not described in subdivision (1) or clauses (A) or (B).

(b) The board must proceed under the following provisions:

(1) The board shall invite quotes from at least three (3) persons known to deal in the class of work proposed to be done by mailing them a notice stating that plans and specifications are on file in a specified office. The notice must be mailed not less than seven (7) days before the time fixed for receiving quotes.

(2) The board may not require a person to submit a quote before the meeting at which quotes are to be received. The meeting for receiving quotes must be open to the public. All quotes received shall be opened publicly and read aloud at the time and place designated and not before.

(3) The board shall award the contract for the public work to the lowest responsible and responsive quoter.

(4) The board may reject all quotes submitted."

Delete page 30.

Page 31, delete lines 1 through 20.

Renumber all SECTIONS consecutively.

(Reference is to ESB 1102 as printed February 15, 2006.)

LAWSON

Motion prevailed.

SENATE MOTION
(Amendment 1102-8)

Madam President: I move that Engrossed House Bill 1102 be amended to read as follows:

Page 33, line 28, after "inches." insert "**However, a county legislative body may adopt an ordinance to reduce the fee charged by the county recorder for furnishing copies under this subdivision. An ordinance adopted under this subdivision must specify the amount of the reduced fee that shall be charged by the county recorder for furnishing copies under this subdivision.**".

(Reference is to EHB 1102 as printed February 15, 2006.)

LAWSON

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1110

Senator Gard called up Engrossed House Bill 1110 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1110-2)

Madam President: I move that Engrossed House Bill 1110 be amended to read as follows:

Page 2, line 19, after "16.3." insert "**(a)**".

Page 2, between lines 26 and 27, begin a new paragraph and insert: "**(b) This section expires July 1, 2016.**".

Page 2, line 29, after "16.5." insert "**(a)**".

Page 2, between lines 34 and 35, begin a new paragraph and insert:
"(b) This section expires July 1, 2016."

Page 3, line 21, after "104.5." insert **"(a)"**.

Page 3, between lines 25 and 26, begin a new paragraph and insert:
"(b) This section expires July 1, 2016."

Page 3, delete lines 33 through 42.

Page 4, line 3, after "130.1." insert **"(a)"**.

Page 4, between lines 6 and 7, begin a new paragraph and insert:
"(b) This section expires July 1, 2016."

Page 4, line 9, after "130.2." insert **"(a)"**.

Page 4, between lines 16 and 17, begin a new paragraph and insert:
"(b) This section expires July 1, 2016."

Page 4, line 19, after "130.3." insert **"(a)"**.

Page 4, between lines 25 and 26, begin a new paragraph and insert:
"(b) This section expires July 1, 2016."

Page 4, line 28, after "196.5." insert **"(a)"**.

Page 4, between lines 34 and 35, begin a new paragraph and insert:
"(b) The term does not include a steel mill."

(c) This section expires July 1, 2016."

Page 5, between lines 5 and 6, begin a new paragraph and insert:
"(d) This section expires July 1, 2016."

SECTION 14. IC 13-14-12-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) The officials collecting the following shall remit the money to the treasurer of state:

(1) Money collected under the following:

(A) IC 13-30-4-1.

(B) IC 13-30-4-2.

(C) IC 13-30-5-1.

(2) Fees collected under IC 13-16-1-2 through IC 13-16-1-5.

(b) Except as provided in subsection (c), the treasurer of state shall credit the money to the environmental management special fund.

(c) With respect to the money collected under subsection (a)(1)(A) and (a)(1)(B) from a person that produces steel or a steel product using recycled steel:

(1) the commissioner may direct the treasurer of state to credit all or a part of the money to the solid waste management fund established by IC 13-20-22-2; and

(2) the treasurer of state shall:

(A) credit money as directed by the commissioner under subdivision (1); and

(B) credit to the environmental management special fund only money that is not credited under subdivision (1)."

Page 6, line 3, after "meeting" delete "the".

Page 6, delete line 4.

Page 6, delete lines 10 through 13.

Page 6, delete lines 15 through 22.

Page 6, delete line 40.

Page 6, line 41, delete "(7)" and insert **"(6)"**.

Page 7, line 41, delete "require" and insert **"work with"**.

Page 7, line 41, delete "modify and" and insert **"agree with the manufacturers on appropriate modifications to the plan."**

(e) Motor vehicle manufacturers are not required to resubmit a plan modified under subsection (d) to the commissioner for approval."

Page 7, delete line 42.

Page 8, between lines 21 and 22, begin a new line blocked left and insert:

"A person that maintains records under this section shall retain the records for at least three (3) years."

Page 10, line 3, delete "interested in reducing" and insert **"that produce steel or a steel product using recycled steel."**

Page 10, delete line 4.

Page 10, line 20, delete "allow" and insert **"allow:**

(1) entities regulated by the department to bank the documented value, as determined by the commissioner, of environmentally beneficial activities that:

(A) contribute to the removal of mercury from the environment; and

(B) are not required by law or by rule; and

(2) persons that produce steel or a steel product using recycled steel to bank the actual value of contributions by the person to the solid waste management fund under IC 13-20-22-2(c)(6)."

Page 10, line 20, delete "entities regulated by the".

Page 10, delete lines 21 through 26.

Page 10, line 29, delete "collectable" and insert **"collectible"**.

Page 11, after line 4, begin a new paragraph and insert:

"Sec. 5. This chapter expires July 1, 2016."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1110 as printed February 22, 2006.)

GARD

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1172

Senator Miller called up Engrossed House Bill 1172 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1176

Senator Nugent called up Engrossed House Bill 1176 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1214

Senator Long called up Engrossed House Bill 1214 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1220

Senator Meeks called up Engrossed House Bill 1220 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1227

Senator Nugent called up Engrossed House Bill 1227 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1235

Senator Miller called up Engrossed House Bill 1235 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1235-1)

Madam President: I move that Engrossed House Bill 1235 be amended to read as follows:

Page 5, line 8, after "telephone" insert "**or**".

(Reference is to EHB 1235 as printed February 24, 2006.)

MILLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1239

Senator Long called up Engrossed House Bill 1239 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1239-1)

Madam President: I move that Engrossed House Bill 1239 be amended to read as follows:

Page 2, line 12, reset in roman "An individual".

Page 2, line 12, delete "A".

Page 2, line 12, after "insurance" insert "**or a certificate of coverage**".

(Reference is to EHB 1239 as printed February 17, 2006.)

LONG

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1257

Senator Waltz called up Engrossed House Bill 1257 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1261

Senator Lubbers called up Engrossed House Bill 1261 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1281

Senator Lubbers called up Engrossed House Bill 1281 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1285

Senator Heinold called up Engrossed House Bill 1285 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1306

Senator Long called up Engrossed House Bill 1306 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1314

Senator Lawson called up Engrossed House Bill 1314 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1315

Senator Landske called up Engrossed House Bill 1315 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1315-1)

Madam President: I move that Engrossed House Bill 1315 be amended to read as follows:

Page 2, line 20, delete "an unusual" and insert "**a visual**".

Page 2, line 21, delete "and".

Page 2, line 22, delete "or connect to the" and insert "**; and**".

Page 2, between lines 22 and 23, begin a new line double block indented and insert:

"(C) connect to the facility's fire alarm system."

Page 2, delete line 23.

(Reference is to EHB 1315 as printed February 24, 2006.)

LANDSKE

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1329

Senator Miller called up Engrossed House Bill 1329 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1414

Senator Delph called up Engrossed House Bill 1414 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1418

Senator Heinold called up Engrossed House Bill 1418 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1420

Senator Gard called up Engrossed House Bill 1420 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senator Mishler, who had been excused, was present.

**ENGROSSED HOUSE BILLS
ON THIRD READING**

Engrossed House Bill 1097

Senator Miller called up Engrossed House Bill 1097 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 239: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1101, which is eligible for third reading, be returned to second reading for purposes of amendment.

HERSHMAN

Motion prevailed.

Engrossed House Bill 1108

Senator Long called up Engrossed House Bill 1108 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 240: yeas 45, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1240

Senator Lubbers called up Engrossed House Bill 1240 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 241: yeas 48, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1395

Senator Miller called up Engrossed House Bill 1395 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 242: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 43 and 44 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Lewis be added as cosponsor of Engrossed House Bill 1102.

LAWSON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Landske be added as cosponsor of Engrossed House Bill 1108.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Simpson be added as cosponsor of Engrossed House Bill 1110.

GARD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Paul and Landske be added as cosponsors of Engrossed House Bill 1097.

MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Simpson and Drozda be added as cosponsors of Engrossed House Bill 1285.

HEINOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Landske and Wyss be added as cosponsors of Engrossed House Bill 1414.

DELPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Kruse and Hume be added as cosponsors of Engrossed House Bill 1128.

WYSS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Steele, Drozda, Waltz, Hume, Meeks, Bray, Hershman, and Paul be added as cosponsors of Engrossed House Bill 1176.

NUGENT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Lanane, Delph, and Paul be added as cosponsors of Engrossed House Bill 1028.

NUGENT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Paul be added as cosponsor of Engrossed House Bill 1227.

NUGENT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as cosponsor of Engrossed House Bill 1315.

LANDSKE

Motion prevailed.

**MOTIONS TO DISSENT
FROM HOUSE AMENDMENTS**

SENATE MOTION

Madam President: I move that the Senate do not concur with the House Amendments to Engrossed Senate Bill 77 and that a conference committee be appointed to confer with a like committee of the House.

HEINOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do not concur with the House Amendments to Engrossed Senate Bill 106 and that a conference committee be appointed to confer with a like committee of the House.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do not concur with the House Amendments to Engrossed Senate Bill 258 and that a conference committee be appointed to confer with a like committee of the House.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, February 28, 2006.

GARTON

Motion prevailed.

The Senate adjourned at 6:03 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate